

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**HORATIO OMAR ROBERSON,**  
**Plaintiff**

**v.**

**CITY OF YORK and**  
**MICHAEL LEE EBERSOLE,**  
**Defendants**

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**No. 1:14-cv-2384**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 30th day of September 2016, **IT IS HEREBY ORDERED THAT** Defendants City of York and Michael Lee Ebersole's motion to dismiss the second amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. No. 23), is **GRANTED**.

**IT IS FURTHER ORDERED THAT** Plaintiff's second amended complaint (Doc. No. 22), is **DISMISSED WITH PREJUDICE**. The Court finds that permitting Plaintiff Horatio Omar Roberson to file a third amended complaint would be futile. The Clerk of Court is directed to close the above-captioned action.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania